

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

MDL No. 2419
Master Docket No. 1:13-md-2419-RWZ

THIS DOCUMENT RELATES TO:

All Actions in Which Calisher & Associates,
Inc. is Named as a Defendant

**ANSWER TO SECOND AMENDED MASTER COMPLAINT
OF DEFENDANT CALISHER AND ASSOCIATES, INC.**

For its Answer to Plaintiffs' Second Amended Master Complaint (the "Master Complaint"), Defendant Calisher and Associates, Inc. ("Calisher") responds to the allegations in the Master Complaint as follows:

I. INTRODUCTION

1. This is an introductory paragraph to which no response is required. To the extent as response is required, Calisher admits that this multidistrict litigation arose as the result of an outbreak of fungal meningitis and other infections. Calisher otherwise does not have sufficient information or belief to admit or deny the averments in this paragraph.

2. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

3. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

4. Calisher admits, based upon information and belief, that Liberty Industries, Inc. ("Liberty") designed and constructed the cleanroom(s) used to compound the contaminated methylprednisolone acetate ("MPA") that caused the Plaintiffs' injuries. Calisher admits, based

upon information and belief, that there were defects in the cleanroom(s) that made the contamination of the MPA more likely. Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

5. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

6. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

7. This paragraph does not contain factual averments, and therefore no response is required. To any extent a response is required, Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

8. This paragraph does not contain factual averments, and therefore no response is required. To any extent a response is required, Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

9. This paragraph does not contain factual averments, and therefore no response is required. To any extent a response is required, Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

II. JURISDICTION AND VENUE

10. Denied.

11. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

12. On information and belief, admitted.

13. On information and belief, admitted.

14. On information and belief, admitted.

15. Admitted, for pretrial purposes only.

16. Admitted.

III. PARTIES

17. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

18. On information and belief, admitted.

19. On information and belief, admitted.

20. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

21. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

22. On information and belief, admitted.

23. Calisher denies the averments in this paragraph to the extent they are asserted against Calisher, and otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

IV. FACTUAL BACKGROUND

24. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

25. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

26. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

27. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

28. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

29. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

30. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

31. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

32. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

33. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

34. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

35. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

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39. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

40. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

41. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

42. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

43. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

44. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

45. Denied.

46. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

47. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

48. Denied.

49. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

50. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

51. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

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58. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

59. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

60. On information and belief, admitted.

61. On information and belief, admitted.

62. On information and belief, admitted.

63. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

64. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

65. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

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70. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

71. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

72. On information and belief, admitted.

73. On information and belief, admitted.

74. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

75. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

76. On information and belief, admitted.

77. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

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79. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

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106. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

107. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

108. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

109. On information and belief, admitted.

110. On information and belief, admitted, but Calisher refers to the report for a complete and accurate statement of the observations made therein.

111. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

112. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

113. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

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117. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

118. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

119. On information and belief, admitted.

120. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

121. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

122. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

123. On information and belief, admitted.

124. On information and belief, admitted.

V. FACTUAL ALLEGATIONS

125. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

126. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

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150. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

151. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

152. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

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182. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

183. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

184. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

185. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

186. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

187. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

188. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

189. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

190. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

191. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

192. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

193. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

194. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

195. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

196. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

197. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

198. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

199. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

200. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

201. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

202. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

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204. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

205. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

206. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

VI. GENERAL ALLEGATIONS

207. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

208. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

209. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

210. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

CAUSES OF ACTION

COUNT I – NEGLIGENCE AND GROSS NEGLIGENCE (Against Liberty)

211-217. These paragraphs are directed towards a different defendant, so no response is required by Calisher.

COUNT II – NEGLIGENCE AND GROSS NEGLIGENCE (Against UniFirst)

218-225. These paragraphs are directed towards a different defendant, so no response is required by Calisher

COUNT III - NEGLIGENCE AND GROSS NEGLIGENCE⁶ (Against Clinic Related Defendants)

226. Calisher adopts and incorporates by reference its responses to the foregoing paragraphs.

227. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

228. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

229. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

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237. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

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241. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

242. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

**COUNT IV – VIOLATION OF STATE CONSUMER PROTECTION
STATUTES
(Against Clinic Related Defendants)**

243-271. The averments in these paragraphs are directed toward other Defendants only, so no response to these paragraphs is required from Calisher. To any extent a response is required, Calisher denies the averments in these paragraphs to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in these paragraphs.

**COUNT V – VIOLATION OF M.G.L. c.93A
(Against Liberty)**

244-283. The averments in these paragraphs are directed toward other Defendants only, so no response to these paragraphs is required from Calisher. To any extent a response is required, Calisher denies the averments in these paragraphs to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in these paragraphs.

**COUNT VI – VIOLATION OF M.G.L. c.93A
(Against UniFirst)**

284-295. The averments in these paragraphs are directed toward other Defendants only, so no response to these paragraphs is required from Calisher. To any extent a response is

required, Calisher denies the averments in these paragraphs to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in these paragraphs.

**Count VIII – FAILURE TO WARN
(Against Clinic Defendants)**

296. Calisher adopts by reference its responses to the foregoing paragraphs.

297. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

298. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

299. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

300. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

**COUNT IX - TENNESSEE PRODUCT LIABILITY CLAIMS
(Against Tennessee Clinic Related Defendants)**

301-325. The averments in these paragraphs are directed toward other Defendants only, so no response to these paragraphs is required from Calisher. To any extent a response is required, Calisher denies the averments in these paragraphs to the extent they are directed

towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in these paragraphs.

**COUNT X - AGENCY
(Against the Clinic Related Defendants)**

326. Calisher adopts by reference its responses to the foregoing paragraphs.

327. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

328. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

329. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

330. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

331. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

332. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

333. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

COUNT XII - WRONGFUL DEATH
(Against Each Defendant)

334. Calisher adopts by reference its responses to the foregoing paragraphs.

335. No response is required to this paragraph.

336. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

337. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

338. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

339. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

COUNT XIII – LOSS OF CONSORTIUM
(Against all Defendants)

340. Calisher adopts by reference its responses to the foregoing paragraphs.

341. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

342. Calisher does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

343. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph.

COUNT XIV – PUNITIVE DAMAGES
(Against all Defendants)

344. Calisher adopts by reference its responses to the foregoing paragraphs.

345. Calisher denies the averments in this paragraph to the extent they are directed towards Calisher, and Calisher otherwise does not have sufficient knowledge or information to form a belief as to the truth of the averments in this paragraph

DEFENSES

FIRST DEFENSE

Each Complaint in which Calisher is named a Defendant fails to state a claim against Calisher upon which relief may be granted.

SECOND DEFENSE

Each Complaint filed against Calisher is barred by the statute of repose under T.C.A. § 29-26-116(a)(3).

THIRD DEFENSE

Each Complaint against Calisher is barred by the statute of limitations under T.C.A. § 29-26-116(a)(1), or alternatively under T.C.A. § 28-3-104 .

FOURTH DEFENSE

This Court is an improper venue for trial of Plaintiff's claims against Calisher.

FIFTH DEFENSE

Calisher did not owe a duty of care to any of the Plaintiffs.

SIXTH DEFENSE

No act or omission of Calisher proximately caused harmed to any Plaintiff.

SEVENTH DEFENSE

Calisher did not owe a duty to warn to any of the Plaintiffs.

EIGHTH DEFENSE

This is a "health care liability action" governed by Tenn. Code Ann. § 29-26-101, et seq., Calisher is entitled to the caps on damages and other protections under The Tennessee Civil Justice Act of 2011, specifically those found at Tenn. Code Ann. § 29-39-101, et seq.

NINTH DEFENSE

If any Plaintiff was injured as alleged, then it was as a result of the intervening and/or superseding proximate negligence of individual(s) for which Calisher is not legally liable or responsible.

TENTH DEFENSE

Calisher is not a “seller” subject to the Tennessee products liability act.

ELEVENTH DEFENSE

Calisher assert comparative fault against NECC; Barry Cadden; Lisa Cadden; Douglas Conigliaro; Carla Conigliaro; Glenn Chin; Joseph Connolly; GDC Properties Management, LLC; the United States Food and Drug Administration, and its directors, employees, and agents; Massachusetts Board of Registration in Pharmacy, and its directors, employees, and agents; the Tennessee Board of Pharmacy; the Tennessee Department of Health; Medical Sales Management,; Medical Sales Management SW,; John Notarianni; Mario Giamei ARL Bio Pharma, Inc. d/b/a Analytical Research Laboratories; UniFirst Corporation, d/b/a UniClean Cleanroom Service; Liberty Industries, Inc.; Victory Mechanical Services, Inc.; and Victory Heating & Air Conditioning Co., Inc.; Scientific Air Analysis, Inc.; Pharmacy Support, Inc.; Professional Compounding Centers of America; and Medisca. Calisher hereby adopts and incorporates by reference the defendant Specialty Surgery Center’s allegations concerning comparative fault of each of these parties, as if fully set forth here.

Additionally, Calisher assert comparative fault against Specialty Surgery Center (“SSC”), Kenneth Lister, M.D. Jean Atkinson. To any extent that Plaintiffs’ allegations concerning negligence and other wrongdoing in connection with SSC’s procurement of medication from

New England Compounding Center are correct, such negligence and other wrongdoing was the fault of those Defendants, not Calisher.

TWELFTH DEFENSE

Calisher reserves the right to challenge compliance with the notice and certificate of good faith requirements of Tenn. Code Ann. § 29-26-121 and -122.

WHEREFORE, Calisher demands judgment in its favor on all counts, and the award in their favor of costs and attorneys' fees to the extent allowed by law.

DEMAND FOR JURY TRIAL

Calisher demands a trial by jury on all issues so triable.

Respectfully submitted,
CALISHER AND ASSOCIATES, INC.

/s/ Chris C. Han

John W. Moran BBO# 664914

Chris C. Han BBO# 690607

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Dated: June 10, 2016

CERTIFICATE OF SERVICE

I Chris C. Han, certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing and copies will be e-mailed or mailed via regular U.S. mail to those participants identified as unregistered this 10th day of June, 2016.

/s/ Chris C. Han

Chris C. Han